

**COMPLAINT INVESTIGATION SUMMARY**

COMPLAINT NUMBER:	2070.04
COMPLAINT INVESTIGATOR:	Jennifer Campbell
DATE OF COMPLAINT:	October 22, 2003
DATE OF REPORT:	November 25, 2003
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	March 5, 2004

**COMPLAINT ISSUES:**

Whether the Anderson Community School Corporation violated:

511 IAC 7-29-1(l) by failing to follow the procedures required by IC 20-8.1-5.1-12 when suspending a student (per 511 IAC 7-29-1(c)) with a disability.

**FINDINGS OF FACT:**

1. The Student is eight years old and eligible for special education and related services as a student with autism and communication disorder.
2. The Complainant alleges that the School sent the Student home on numerous occasions because of his behavior and that the School did not document these dates as suspensions.
3. The Student received seven days of suspension: September 29, October 7, 10, 13, 14, 21 and 22, 2003.
4. The Complainant did not list specific dates of when the Student was sent home from the School. Based on the documentation submitted, the dates in question are the following: September 26, October 6, 9, and 20, 2003. According to the Assistant Principal, a parent conference was held in the office at approximately 3:00 p.m. on September 26, 2003. The School dismisses at 3:15 p.m. each day, and the Complainant and the Student left around 3:25 p.m. on September 26, 2003. On October 7, 2003, the Complainant was notified by phone that the Student was going to be suspended for that day or the following day. The Student was not sent home early nor did his mother come to school and sign him out according to the School's records. According to the School's records, the Student was at the School all day October 9, 2003. On October 20, 2003, the School was in session for a half day because of parent/teacher conferences. Due to the Student's behavior, the Complainant was notified that her son was going to be suspended for two days. The Student was held at school until after the busses had departed at which time the Complainant arrived to pick him up.

**CONCLUSIONS:**

1. Findings of Fact #2 through #4 indicate that the School documented the Student's out of school suspensions per IC 20-8.1-5.1-12. The School correctly followed suspension procedures and properly counted the suspension days. Therefore, no violation of 511 IAC 7-29-1(l) is found.

**The Department of Education, Division of Exceptional Learners requires no corrective action based on the Findings of Fact and Conclusions listed above.**